

# Senate File 2352 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON VETERANS  
AFFAIRS

(SUCCESSOR TO SSB 3202)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act concerning the definition of veteran.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 6483SV 82  
4 ec/nh/5

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1 1 Section 1. Section 35.1, subsection 2, paragraph a, Code  
1 2 2007, is amended by striking the paragraph and inserting in  
1 3 lieu thereof the following:  
1 4 a. "Veteran" means a resident of this state who served on  
1 5 active federal service, other than training, in the armed  
1 6 forces of the United States and who was discharged under  
1 7 honorable conditions.  
1 8 Sec. 2. Section 35.1, subsection 2, paragraph b,  
1 9 unnumbered paragraph 1, Code 2007, is amended to read as  
1 10 follows:  
1 11 "Veteran" also includes the following persons:  
1 12 Sec. 3. Section 35.1, subsection 2, paragraph b,  
1 13 subparagraph (5), Code 2007, is amended to read as follows:  
1 14 (5) Former members of the armed forces of the United  
1 15 States if any portion of their term of enlistment would have  
1 16 occurred ~~within during~~ the time period ~~specified in paragraph~~  
~~1 17 "a", subparagraph (9) of the Korean Conflict from June 25,~~  
1 18 ~~1950, through January 31, 1955,~~ but who instead opted to serve  
1 19 five years in the reserve forces of the United States, as  
1 20 allowed by federal law, and who were discharged under  
1 21 honorable conditions.  
1 22 Sec. 4. Section 35.1, subsection 2, paragraph b, Code  
1 23 2007, is amended by adding the following new subparagraph:  
1 24 NEW SUBPARAGRAPH. (8) Former members of the armed forces  
1 25 of the United States, reserve forces, or Iowa national guard  
1 26 who were honorably discharged due to injuries incurred while  
1 27 in active federal service that precluded completion of a  
1 28 minimum aggregate of ninety days of active federal service.  
1 29 Sec. 5. Section 35A.13, subsection 1, Code Supplement  
1 30 2007, is amended by striking the subsection.  
1 31 Sec. 6. Section 331.608, subsection 9, Code 2007, is  
1 32 amended to read as follows:  
1 33 9. As used in this section, "veteran" means a veteran as  
1 34 defined in section 35.1, who enlisted or was inducted from the  
1 35 county, resided at any time in the county, or is buried in the  
2 1 county. For purposes of records maintained for claims filed  
2 2 under chapter 426A, "veteran" also means a veteran as defined  
2 3 in section ~~426A.11, subsection 4~~ 35.1.  
2 4 Sec. 7. Section 426A.11, subsection 4, Code 2007, is  
2 5 amended by striking the subsection.  
2 6 Sec. 8. Section 426A.12, Code 2007, is amended to read as  
2 7 follows:  
2 8 426A.12 EXEMPTIONS TO RELATIVES.  
2 9 1. In case any person in the foregoing classifications  
2 10 does not claim the exemption from taxation, it shall be  
2 11 allowed in the name of the person to the same extent on the  
2 12 property of any one of the following persons in the order  
2 13 named:  
2 14 ~~1-~~ a. The spouse, or surviving spouse remaining  
2 15 unmarried, of a veteran, as defined in ~~this chapter or in~~  
2 16 section 35.1, where they are living together or were living  
2 17 together at the time of the death of the veteran.  
2 18 ~~2-~~ b. The parent whose spouse is deceased and who remains

2 19 unmarried, of a veteran, as defined in this chapter or in  
2 20 section 35.1, whether living or deceased, where the parent is,  
2 21 or was at the time of death of the veteran, dependent on the  
2 22 veteran for support.

2 23 ~~3- c.~~ The minor child, or children owning property as  
2 24 tenants in common, of a deceased veteran, as defined in ~~this~~  
2 25 ~~chapter or in~~ section 35.1.

2 26 ~~2.~~ No more than one tax exemption shall be allowed under  
2 27 this section or section 426A.11 in the name of a veteran, as  
2 28 defined in ~~this chapter or in~~ section 35.1.

2 29 Sec. 9. Section 483A.24, subsection 13, Code Supplement  
2 30 2007, is amended to read as follows:

2 31 13. Upon payment of the fee of five dollars for a lifetime  
2 32 fishing license or lifetime hunting and fishing combined  
2 33 license, the department shall issue a lifetime fishing license  
2 34 or lifetime hunting and fishing combined license to a resident  
2 35 of Iowa who is a veteran, as defined in section 35.1, ~~or~~

~~3 1 served in the armed forces of the United States for a minimum  
3 2 aggregate of ninety days of active federal service and who was~~

3 3 disabled or was a prisoner of war during that veteran's  
3 4 military service. The department shall prepare an application  
3 5 to be used by a person requesting a lifetime fishing license  
3 6 or lifetime hunting and fishing combined license under this  
3 7 subsection. The department of veterans affairs shall assist  
3 8 the department in verifying the status or claims of applicants  
3 9 under this subsection. As used in this subsection, "disabled"  
3 10 means entitled to compensation under the United States Code,  
3 11 Title 38, ch. 11.

3 12 Sec. 10. Section 523I.304, subsection 7, Code Supplement  
3 13 2007, is amended to read as follows:

3 14 7. A cemetery owned and controlled by a governmental  
3 15 subdivision shall adopt and enforce a rule allowing any  
3 16 veteran who is a landowner or who lives within the  
3 17 governmental subdivision to purchase an interment space and to  
3 18 be interred within the cemetery. For the purposes of this  
3 19 section, "veteran" means the same as defined in section 35.1  
3 20 ~~or a resident of this state who served in the armed forces of  
3 21 the United States, completed a minimum aggregate of ninety  
3 22 days of active federal service, and was discharged under  
3 23 honorable conditions.~~

3 24 Sec. 11. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
3 25 3, shall not apply to this Act.

#### 3 26 EXPLANATION

3 27 This bill changes the definition of veteran in Code section  
3 28 35.1 to provide that a veteran includes a resident of this  
3 29 state who served on active federal service, other than  
3 30 training, in the armed forces of the United States and was  
3 31 discharged under honorable conditions, regardless of when the  
3 32 service occurred. Current law defines veteran to include a  
3 33 resident of the state who served in the armed forces of the  
3 34 United States only during certain periods of time encompassing  
3 35 various wars and conflicts. The definition of veteran is also  
4 1 changed to include former members of the armed forces of the  
4 2 United States, reserve forces, or Iowa national guard who were  
4 3 honorably discharged due to injuries incurred while in active  
4 4 federal service that precluded completion of a minimum  
4 5 aggregate of ninety days of active federal service. The bill  
4 6 makes corresponding changes in other sections of the Code to  
4 7 reflect the expanded definition of veteran in Code section  
4 8 35.1.

4 9 The definition of veteran in Code section 35.1 applies to  
4 10 several provisions of the Code including provisions concerning  
4 11 veterans preference in employment, membership on the county  
4 12 commission of veteran affairs, indigent burial expenses and  
4 13 support, grave markers, hepatitis C awareness program, and  
4 14 property tax exemptions.

4 15 The bill may include a state mandate as defined in Code  
4 16 section 25B.3. The bill makes inapplicable Code section  
4 17 25B.2, subsection 3, which would relieve a political  
4 18 subdivision from complying with a state mandate if funding for  
4 19 the cost of the state mandate is not provided or specified.  
4 20 Therefore, political subdivisions are required to comply with  
4 21 any state mandate included in the bill.

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